

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on January 20, 2011 at 8:00 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Tom Berry, Vice Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Harry Klock (R)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 179, 1/7/2011; HB 84, 1/7/2011

Executive Action: HB 25, HB 57, HB 84, HB90, HB190

HEARING ON HB 84

Opening Statement by Sponsor:

00:03:06 Rep. Carlie Boland (D), HD 23, opened the hearing on HB 84, Clarify Wage Payment Act - re: definitions - wage trust account.

00:03:06 Rep. Furey and Rep. Reichner left.

Proponents' Testimony:

00:04:36 Jerry Keck, Employee Relations Division, Department of Labor and Industry (DLI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:09:48 Rep. Boland

HEARING ON HB 179

Opening Statement by Sponsor:

00:10:13 Rep. James Knox (R), HD 47, opened the hearing on HB 179, Disallow unemployment benefits for employee terminated during probation period.

[**EXHIBIT\(buh15a01\)**](#)

Proponents' Testimony:

00:14:03 Vice Chairman Berry

Opponents' Testimony:

00:15:15 J.D. Lynch, Montana Building and Construction Industry

00:16:49 Keith Allen, International Brotherhood of Electrical Workers

00:18:22 Chris Cavazos, Montana American Federation of Labor and Congress of Industrial Organizations(AFL-CIO)

Informational Testimony:

00:19:20 Roy Mulvaney, Unemployment Insurance Division, DLI

Questions from Committee Members and Responses:

00:19:45 Rep. Smith

00:20:24 Mr. Mulvaney, DLI

00:20:40 Rep. Smith

00:21:00 Mr. Mulvaney

00:21:20 Rep. Rosendale

00:21:49 Mr. Mulvaney
00:21:55 Vice Chairman Hunter
00:22:31 Mr. Mulvaney
00:24:35 Vice Chairman Hunter
00:24:49 Mr. Mulvaney
00:25:03 Vice Chairman Hunter
00:25:32 Mr. Mulvaney
00:26:48 Vice Chairman Hunter
00:27:16 Mr. Mulvaney
00:28:12 Vice Chairman Hunter
00:28:24 Mr. Mulvaney
00:28:38 Rep. Noonan
00:28:57 Rep. Knox
00:29:30 Rep. Noonan
00:29:44 Mr. Mulvaney
00:30:05 Rep. Noonan
00:30:13 Mr. Mulvaney
00:30:42 Rep. Clark
00:31:03 Rep. Knox
00:31:50 Rep. Clark
00:31:58 Mr. Mulvaney
00:32:48 Rep. Clark
00:33:06 Mr. Mulvaney
00:33:25 Chairwoman Arntzen
00:33:36 Mr. Mulvaney
00:34:29 Don Gilbert, Unemployment Insurance Division, DLI
00:36:18 Chairwoman Arntzen
00:36:25 Mr. Gilbert
00:37:22 Rep. McNiven
00:37:28 Mr. Mulvaney
00:37:36 Rep. McNiven
00:38:18 Mr. Mulvaney
00:39:17 Rep. Klock arrived.
00:39:45 Rep. McNiven
00:40:10 Mr. Mulvaney
00:40:34 Rep. Squires
00:41:15 Mr. Mulvaney
00:41:19 Rep. Squires
00:42:02 Rep. Reichner returned.
00:42:38 Mr. Mulvaney
00:43:03 Rep. Squires
00:43:14 Mr. Mulvaney
00:43:27 Rep. Squires
00:43:54 Mr. Mulvaney
00:45:22 Rep. Squires
00:45:36 Rep. Furey returned.
00:46:10 Mr. Furey
00:46:18 Rep. Smith
00:47:35 Rep. Knox
00:48:08 Rep. Smith

00:48:21 Rep. Knox
00:48:35 Rep. Smith
00:49:36 Mr. Mulvaney
00:49:52 Rep. Smith
00:50:05 Mr. Mulvaney
00:50:09 Rep. Smith
00:50:18 Mr. Mulvaney
00:51:11 Rep. Smith
00:51:44 Rep. Knox
00:52:42 Rep. Smith
00:53:04 Rep. Knox
00:53:38 Rep. Furey
00:54:46 Rep. Knox
00:55:35 Rep. Furey
00:55:41 Rep. Knox
00:56:33 Rep. McNiven
00:57:22 Rep. Knox
00:57:53 Rep. McNiven
00:58:17 Mr. Campbell
00:58:52 Rep. McNiven
00:59:14 Rep. Knox
00:59:34 Mr. Mulvaney
01:00:30 Rep. Noonan
01:01:06 Mr. Mulvaney
01:01:42 Rep. Smith
01:02:06 Mr. Mulvaney

Closing by Sponsor:

01:02:34 Rep. Knox

01:04:06 Recessed

01:14:05 Resumed

EXECUTIVE ACTION ON HB 25

01:16:05 **Motion:** Rep. Berry moved that **HB 25 DO PASS.**

Discussion:

01:17:32 Vice Chairman Hunter

01:18:22 **Motion:** Rep. Berry moved that **HB 25 BE AMENDED.**

EXHIBIT(buh15a02)

Discussion:

01:20:14 Vice Chairman Hunter

01:20:18 Mr. Campbell

01:23:08 Vice Chairman Hunter

01:24:22 Mr. Campbell

01:24:32 Rep. Squires

01:25:58 **Vote:** Motion carried unanimously by voice vote.

01:26:16 **Motion/Vote:** Rep. Berry moved that **HB 25 DO PASS AS AMENDED**. Motion carried 20-1 by voice vote with Rep. Smith voting no.

EXECUTIVE ACTION ON HB 57

01:27:54 **Motion/Vote:** Rep. Berry moved that **HB 57 DO PASS**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 84

01:28:34 **Motion/Vote:** Rep. Berry moved that **HB 84 DO PASS**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 90

01:29:17 **Motion:** Rep. Berry moved that **HB 90 DO PASS**.

01:29:46 **Motion/Vote:** Rep. Reichner moved that **HB 90 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(buh15a03)

Discussion:

01:32:05 Rep. Berry
01:32:25 Rep. Reichner
01:32:29 Rep. Smith
01:33:10 Rep. Rosendale
01:33:43 Rep. Reichner

01:34:54 **Motion/Vote:** Rep. Berry moved that **HB 90 DO PASS AS AMENDED**. Motion carried 19-2 by roll call vote with Rep. Smith and Rep. Vance voting no.

EXECUTIVE ACTION ON HB 190

01:36:17 **Motion:** Rep. Berry moved that **HB 190 DO PASS**.

Discussion:

01:36:58 Vice Chairman Hunter
01:37:37 Rep. Evans
01:38:35 Rep. Noonan
01:39:03 Rep. Reichner
01:39:36 Rep. McNiven

01:40:01 **Substitute Motion/Vote:** Rep. Reichner made a substitute motion that **HB 190 BE TABLED**. Substitute Motion carried unanimously by voice vote.

01:43:48 Rep. Noonan
01:43:53 Chairwoman Arntzen

ADJOURNMENT

09:44:00 Adjournment

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh15aad.pdf](#))